GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:2357
ANSWERED ON:30.11.2016
Video Recording of Proceedings
Dhruvanarayana Shri Rangaswamy

Will the Minister of LAW AND JUSTICE be pleased to state:

a) whether the Government has considered implementing audio/video recording of proceedings in all courts of the country;
b) if so, the details thereof and the reasons therefor;
c) whether such a recording is the fundamental right of a citizen and denying the same breaches Article 21 of the Constitution as right to information forms an integral part of right of life;
d) if so, the details thereof;
e) the circumstances under which such recordings are permissible; and
f) whether the Government has received petitions regarding the same and if so, the details of the response of the Government to such petitions?

Answer

ANSWER
MINISTER OF STATE FOR LAW AND JUSTICE AND ELECTRONICS AND INFORMATION TECHNOLOGY
(Shri P.P. CHAUDHARY)

(a) to(f) The Government has been receiving suggestions for the implementation of audio-video recording of court proceedings. The issue has also been discussed in the meetings of Advisory Council of National Mission for Justice Delivery and Legal Reforms. In the meeting of eCommittee of the Supreme Court of India held on 8th January, 2014, Hon'ble the Chief Justice of India advised deferment of audio-video recording of court proceedings as this would require consultations with Hon'ble Judges of Supreme Court and High Courts. The matter was taken up with Hon'ble Chief Justice of India. The Supreme Court had decided to take up the matter in full court where consensus on the same could not be reached.
Order XVIII Rule 4(3) of the Code of Civil Procedure enables a court to record evidence either in writing or mechanically in the presence of the Judge. Similarly, Sections 161(3), 164 and 275 of the Code of Criminal Procedure permit recording of evidence of certain witnesses by audio video electronic means. For example, the Delhi High Court has issued Video-Conferencing guidelines for the conduct of Court Proceedings between courts and remote sites.